

Status: Point in time view as at 01/02/1991.

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SCHEDULES

FIRST SCHEDULE

Section 1.

TRADES AND BUSINESSES EXEMPTED FROM THE PROVISIONS AS TO ^[F1]EARLY CLOSING DAY]

Textual Amendments

F1 Words substituted by virtue of [Shops \(Early Closing Days\) Act 1965 \(c. 35\), s. 3](#)

The sale by retail of intoxicating liquors.

The sale of refreshments, including the business carried on at a railway refreshment room.

The sale of motor, cycle, and air-craft supplies and accessories to travellers.

The sale of newspapers and periodicals.

The sale of meat, fish, milk, cream, bread, confectionery, fruit, vegetables, flowers, and other articles of a perishable nature.

The sale of tobacco and smokers' requisites.

The business carried on at a railway bookstall on or adjoining a railway platform.

The sale of medicines and medical and surgical appliances.

Retail trade carried on at an exhibition or show, if the local authority certify that such retail trade is subsidiary or ancillary only to the main purpose of the exhibition or show.

SECOND SCHEDULE

Sections 2 and 8.

TRANSACTIONS NOT AFFECTED BY GENERAL CLOSING HOURS OR BY CLOSING ORDERS

- 1 The sale of—
- (a) meals or refreshments (including table waters, sweets, chocolates, sugar confectionery, and ice cream), for consumption on the premises, or (in the case of meals or refreshments sold on railway premises) for consumption on the trains:

Provided that—

- (i) in the case of canteens attached to and situated within or in the immediate vicinity of any works, if persons are employed at such works after the closing hour, and the canteen is kept open only for the use of such persons, meals or refreshments may be sold after the closing hour for consumption anywhere within the works premises; and

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- (ii) for the purposes of the foregoing provisions, tobacco supplied at a meal for immediate consumption shall be deemed to form part of the meal;
 - (b) newly cooked provisions and cooked or partly cooked tripe to be consumed off the premises;
 - (c) intoxicating liquors to be consumed on or off the premises;
 - (d) tobacco, table waters or matches on licensed premises during the hours during which intoxicating liquor is permitted by law to be sold on the premises;
 - (e) tobacco, matches, table waters, sweets, chocolates, or other sugar confectionery or ice cream at any time during the performance in any theatre, cinema, music hall, or other similar place of entertainment so long as the sale is to a bonâ fide member of the audience and in a part of the building to which no other members of the public have access;
 - (f) medicine or medical or surgical appliances, so long as the shop is kept open only for such time as is necessary for serving the customer;
 - (g) newspapers, periodicals and books from the bookstalls of such terminal and main line stations as may be approved by the Secretary of State;
 - (h) aircraft, motor, or cycle supplies or accessories for immediate use, so long as the shop is kept open only for such time as is necessary for serving the customer;
 - (i) victuals, stores, or other necessaries required by any naval, military or air force authority for His Majesty's forces or required for any ship on her arrival at or immediately before her departure from a port, so long as the shop is kept open only for such time as is necessary for serving the customer.

Modifications etc. (not altering text)

C1 Para. 1(i) extended by [S.I. 1965/1536](#), [Sch. 3](#)

2 The transaction of any post office business.

Modifications etc. (not altering text)

C2 Para. 2 explained by [Post Office Act 1969 \(c. 48\)](#), [Sch. 4 para. 51](#)

THIRD SCHEDULE

Section 19.

INTERVALS FOR MEALS

PART I

Intervals for meals shall be arranged so as to secure that no person shall be employed for more than six hours without an interval of at least twenty minutes being allowed during the course thereof.

Without prejudice to the foregoing provision—

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- (1) where the hours of employment include the hours from 11.30 a.m. to 2.30 p.m., an interval of not less than three-quarters of an hour shall be allowed between those hours for dinner; and
 - (2) where the hours of employment include the hours from 4 p.m. to 7 p.m., an interval of not less than half-an-hour shall be allowed between those hours for tea,
- and the interval for dinner shall be increased to one hour in cases where that meal is not taken in the shop, or in a building of which the shop forms part or to which the shop is attached:

Provided that an assistant employed in the sale of refreshments or in the sale by retail of intoxicating liquors need not be allowed the interval for dinner between 11.30 a.m. and 2.30 p.m. if he is allowed the same interval so arranged as either to end not earlier than 11.30 a.m. or to commence not later than 2.30 p.m., and the same exemption shall apply to assistants employed in any shop on the market day in any town in which a market is held not oftener than once a week, or on a day on which an annual fair is held.

PART II.....^{F2}

Textual Amendments

F2 Sch. 3 Pt. II repealed by [Employment Act 1989 \(c. 38, SIF 43:1\)](#), ss. 10(1)(a), 29(4), Sch. 3 Pt. I, [Sch. 7 Pt. II](#)

FOURTH SCHEDULE

METHOD OF CALCULATING THE HOLIDAYS TO WHICH ANY SHOP ASSISTANT IS ENTITLED UNDER SECTION FORTY-ONE OF THIS ACT

- 1 The number of extra hours for which a shop assistant has been employed in or about the business of the shop while any one or more orders have been in force under section forty-one of this Act shall be added together, any fraction of an hour not exceeding half being treated as half an hour, and any fraction of an hour exceeding half being treated as an hour.
- 2 For the purposes of this Schedule the number of hours comprised in the customary working day on days other than half holidays shall be taken as the standard unit.
- 3 The aggregate number of the extra hours, as calculated in accordance with the provisions of paragraph 1 of this Schedule, shall be divided by the standard unit, and the quotient, fractions thereof being disregarded, shall be the number of the days' holiday to which the shop assistant shall be entitled.

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FIFTH SCHEDULE

Section 47.

TRANSACTIONS FOR THE PURPOSES OF WHICH A SHOP MAY BE OPEN IN ENGLAND AND WALES FOR THE SERVING OF CUSTOMERS ON SUNDAY

- 1 The sale of—
- (a) intoxicating liquors;
 - (b) meals or refreshments whether or not for consumption at the shop at which they are sold, but not including the sale of fried fish and chips at a fried fish and chip shop;
 - (c) newly cooked provisions and cooked or partly cooked tripe;
 - (d) table waters, sweets, chocolates, sugar confectionery and ice-cream (including wafers and edible containers);
 - (e) flowers, fruit and vegetables (including mushrooms) other than tinned or bottled fruit or vegetables;
 - (f) milk and cream, not including tinned or dried milk or cream, but including clotted cream whether sold in tins or otherwise;
 - (g) medicines and medical and surgical appliances—
 - (i) at any premises registered under [^{F3}section 75 of the ^{M1}Medicines Act 1968];
 - (ii) by any person who has entered into a contract with [^{F4}a Family Practioner Committee]for the supply of drugs and appliances;
 - (h) aircraft, motor, or cycle supplies or accessories;
 - (i) tobacco and smokers' requisites;
 - (j) newspapers, periodicals and magazines;
 - (k) books and stationery from the bookstalls of such terminal and main line railway or omnibus stations, or at such aerodromes as may be approved by the Secretary of State;
 - (l) guide books, postcards, photographs, reproductions, photographic films and plates, and souvenirs—
 - (i) at any gallery, museum, garden, park or ancient monument under the control of a public authority or university; or
 - (ii) at any other gallery or museum, or any place of natural beauty or historic interest, or any zoological, botanical or horticultural gardens, or aquarium, if and to the extent that the local authority certify that such sale is desirable in the interests of the public; or
 - (iii) in any passenger vessel within the meaning of Part II of the ^{M2}Finance (1909-1910) Act 1910, while engaged in carrying passengers;
 - (m) photographs for passports;
 - (n) requisites for any game or sport at any premises or place where that game or sport is played or carried on;
 - (o) fodder for horses, mules, ponies and donkeys at any farm, stables, hotel or inn.

Textual Amendments

F3 Words substituted by virtue of [Interpretation Act 1978 \(c. 30\), s. 17\(2\)\(a\)](#)

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F4 Words substituted by virtue of [Health Services Act 1980 \(c. 53, SIF 113:2\)](#), ss. 1, 2, [Sch. 1 para. 8](#) and [S.I. 1985/39, art. 2](#)

Marginal Citations

M1 [1968 c. 67.](#)

M2 [1910 c. 8.](#)

- 2 The transaction of—
- (a) post office business;
 - (b) the business carried on by a funeral undertaker.

Modifications etc. (not altering text)

C3 [Para. 2\(a\)](#) explained by [Post Office Act 1969 \(c. 48\)](#), [Sch. 4 para. 51](#)

SIXTH SCHEDULE

Section 48.

TRANSACTIONS IN RESPECT OF WHICH A PARTIAL EXEMPTION
ORDER MAY BE MADE UNDER SECTION FORTY-EIGHT OF THIS ACT

The sale of—

- (a) bread and flour confectionery, including rolls and fancy bread;
- (b) fish (including shell-fish);
- (c) groceries and other provisions commonly sold in grocers shops,

in so far as such sales are not included amongst the transactions mentioned in the Fifth Schedule to this Act.

SEVENTH SCHEDULE

Section 51.

TRANSACTIONS IN RESPECT OF WHICH AN ORDER MAY
BE MADE UNDER SECTION FIFTY-ONE OF THIS ACT

The sale of—

- (a) any articles required for the purposes of bathing or fishing;
- (b) photographic requisites;
- (c) toys, souvenirs and fancy goods;
- (d) books, stationery, photographs, reproductions and postcards;
- (e) any article of food.

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^{F5F5}EIGHTH SCHEDULE

Textual Amendments

F5 Sch. 8 repealed by [Statute Law \(Repeals\) Act 1974 \(c. 22\)](#), **Sch. Pt. X**

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